## T.D. INFORMAL MEMO: DO NOT MAIL THIS MEMO TO APPLICANT

Date:			15-Feb-06	F	APPL. S. N:		10761328	j		
To Exam	iner:		NGUYEN, LEE	P	Art Unit		2682	j		
From			Jefferson, Henry PARALEGAL SPCECIALIS		Return This Memo To: Cas Drop-Off Location	se	JEF-2D68	j		
SUBJEC.	<b>T:</b> Decisio	n on Terminal	Disclaimer(T.D.) filed:							
form par or have a	agraphs i any quest	dentified by the	d the submitted T.D. with his informal memo in your ee me or the Special Prog D APPLICANT OR (2) PLAC	next Offi ram Exan	ce action to notify applica niner. THIS IS AN INFOR	ent of the MAL, IN	he T.D. If you disaç ITERNAL MEMO ON	gree LY.		
please in	itial, date	and return th	is memo to me. THANK Y	ου.						
<b>I</b>	The T.D.	D. is PROPER and has been recorded (see 14.23).								
	The T.D.	D. is NOT PROPER and has not been accepted for the reason(s) checked below (see 14.24):								
	The TD fee of has not been submitted nor is there any authorization in the application file for the use of a deposit account									
	The T.D. does not satisfy Rule 321 in that the person who has signed the T.D. has not stated the ext his/her interest (and/or the extent of the interest of the business entity represented by the signature in the application/patent (see 14.26 & 14.26.01).									
		double paten	s the enforceable only du ting rejection, Rule 321(b	) (see 14	.27.01).					
The T.D. is directed to a particular claim(s), which is not acceptable since "the disclaimer portion of the term of the entire patent to be granted" (MPEP 1490) (see 14.26 & 14.26.								or a terminal		
		The person w	tho signed the T.D.:							
		is n	ot an attorney "of record"	(see 14.	29 and 14.29.01).					
		has	failed to state his/her cap	pacity to s	sign for the business entit	ty (see	14.28).			
		is n	ot recognized as an office	r of the a	ssignee (see 14.29 & pos	sible 14	4.29.02).			
		No documentary evidence of a chain of title from the original inventor(s) to assignee has been submitted, nor is the reel and frame number specified as to where such evidence is recorded in the Office (see 37 CFR 3.73(b) and 1140 O.G. 72). NOTE: This documentary evidence or the specifying of the reel and frame number may be found in the T.D. or in a separate paper of record in the application (see 14.30).						e reel and		
		The T.D. is not signed (see 14.26 & 14.26.03).								
		The serial number of the application (or the number of the patent) which forms the basis for the double patenting rejection is missing or incorrect (see 14.32).								
		The serial number of this application (or the number of the patent in reexam or reissue cases being disclaimed is missing or incorrect (see 14.26, 14.27.02 or 14.26.05).						}		
		The period di	sclaimed is incorrect or no	ot specifie	ed (see 14.26, 14.27.02 o	or 14.26	6.03).			
		Other:						O O		
Suggestion to request refund (see 14.36). NOTE: If already authorized, credit refund to depend on one check this item.								count		
I have a	ppropriate	ely notified ap	plicant(s) of the status of	the Term	inal Disclaimer filed in th	is case.				
Ex.Initia	ls:	Dat	e:				Log Date:			

Docket No.

247779US2RD CONT

## IN THE UNITED STA TENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

Noriaki ODACHI, et al.

SERIAL NO: 10/761,328

GAU:

2682

FILED:

January 22, 2004

EXAMINER: Nguyen, Lee

FOR:

PORTABLE RADIO TERMINAL CAPABLE OF OBTAINING GOOD POLARIZATION EFFICIENCY

REGARDLESS OF POSITION AND DIRECTION OF ANTENNA

## TERMINAL DISCLAIMER

COMMISSIONER FOR PATENTS ALEXANDRIA, VIRGINIA 22313

SIR:

Now comes the undersigned, Attorney of Record in the present application, who avers as follows:

Kabushiki Kaisha Toshiba is the owner of the entire right, title and interest in and to the invention claimed and disclosed in the above-captioned patent application by virtue of assignment, said Assignment having been recorded in the U.S. Patent and Trademark Office at reel no. 011550, frame(s) 0332.

Kabushiki Kaisha Toshiba hereby disclaims the terminal part of any patent granted on the above-captioned application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173 as presently shortened by any terminal disclaimer of Patent No. 6,701,167, and hereby agrees that any patent so granted on said abovecaptioned application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to United States Patent No. 6,701,167, this agreement to run with any patent granted on the above-captioned application and to be binding upon the grantee, its successors or assigns.

Kabushiki Kaisha Toshiba does not disclaim any terminal part of any patent granted on the above-captioned application that would extend to the full statutory term as defined in 35 U.S.C. 154 and 173 as presently shortened by any terminal disclaimer of Patent No. 6,701,167 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND.

MAIER & NEUSTADT, P.C.

Eckhard H. Kuesters

**252** 19761328 139.09 OP

Registration No. 28,870

Customer Number

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Application Number	Application/Co	ontrol No.	Applicant(s)/Patent under Reexamination  ODACHI ET AL.							
Document Code - DISQ		Internal D		ocument – DO NOT MAIL						
TERMINAL DISCLAIMER	⊠ APPROV	'ED	□DISAPP	☐ DISAPPROVED						
Date Filed : February 03, 2006	This patent is subject to a Terminal Disclaimer									
Approved/Disapproved by:  Henry D. Jefferson										
			,							

U.S. Patent and Trademark Office